

**APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**June 22, 2006 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First St, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:30 p.m. in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Bill Fahey, Vice Chair
 Jay Ammon
 Grace Chewning
 Gerald Ames
 Stewart Fritz
 Larry Lawver

Members Excused: Tom Hagood, Chair

Present & Sworn: Catherine English, Respondent, 03-54-CEB
 Frank Jackson, Respondent, 06-48-CEB
 William Taylor, Respondent, 06-49-CEB
 James & Lorna Lickert, Respondents, 06-25-CEB
 Deborah Leigh, Senior Code Enforcement Officer, SCSO
 Pamela Taylor Code Enforcement Officer, SCSO
 Jerry Robertson, Code Enforcement Officer, SCSO
 Donna Wisniewski, Code Enforcement Officer, SCSO
 Dorothy Hird, Code Enforcement Officer, SCSO
 Joann Davids-Tamulonis, Code Enforcement Officer, SCSO

Others Present: Yvette Brown, for Dan Mantzaris, Code Enforcement Board
 Attorney
 Connie R. DeVasto, Clerk to the Code Enforcement Board



IV Swearing in of Witnesses

Tom Scala, Witness for Respondent, 06-49-CEB
Jim Logue, Representative for Respondent, 06-22-CEB
Kristen Allen, Representative for Respondent, 06-52-CEB

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V Agenda Update & Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

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The following cases will not be heard today:

Diane Boyesen, Case No 06-47-CEB, Complied Prior to Hearing
Patricia & John Kirkwood, Case No 06-50-CEB, Complied Prior to Hearing

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Case No. 06-49-CEB
WILLIAM J. AND MARY L. TAYLOR
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE001225

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (h)
Described as: 1) Accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24" in height and within 75' of a structure.
Location: 130 E Faith Terrace, Maitland (Commission District 4)
Tax Parcel ID # 24-21-29-512-0000-0190

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird further testified that some trash and weeds remain. Officer Hird also stated that the Respondents have made a lot of progress on their property.

Officer Hird stated that recommendation would be to comply by July 21, 2006, with a fine in the amount of \$75.00 per day if the violations continue or are repeated after July 21, 2006.

William Taylor, Respondent, was present at this hearing and testified on his own behalf. Mr. Taylor advised the Board that he spoke to Officer Hird this morning and advised her that he has cleared everything except a few things behind the shed. Mr. Taylor also presented photographs of his property to the Board.

The Board asked Officer Hird when she last inspected the property.

Officer Hird advised that her last inspection was May 3, 2006.

The Board asked Mr. Taylor if he thought he could come into compliance by July 21, 2006.

Mr. Taylor stated yes.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 06-49-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 24-21-29-512-0000-0190) located at 130 E. Faith Terrace, Maitland, located in Seminole County and legally described as follows:

LEG LOT 19 NORTHWOOD HEIGHTS
PB 10 PG 28

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g) and (h).

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING

JUNE 22, 2006

It is hereby ordered that the Respondents correct the violations on or before **July 21, 2006**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.**
- 2) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND WITHIN 75' OF A STRUCTURE.**

If the Respondents do not comply with the Order, a fine of **\$75.00** per day will be imposed for each day the violations continue, or are repeated after compliance past **July 21, 2006**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of June 2006, in Seminole County, Florida.

BILL FAHEY – YES

GRACE CHEWNING – YES

STEWART FRITZ – YES

JAY AMMON – YES

GERALD AMES - YES

LARRY LAWVER – YES

MOTION CARRIED 6 – 0.

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Case No. 06-52-CEB
 THE KIRCHMAN CORPORATION AND
 PRENTICE-HALL CORP. SYS INC,
 REGISTERED AGENT
 Code Enforcement Officer: Dorothy Hird
 Complaint No: 2006CE000747

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (n) and Seminole County Code, Chapter 40, Section 40.164 and Chapter 95, Section 95.4, as defined in 95.3(o)

Described as: 1) Stagnant or foul water within a swimming or wading pool.
2) All swimming pools shall be completely enclosed by a screen enclosure, a link-type fence, or a solid wall as approved by the Building Official.

Location: 301 Park Place, Altamonte Springs (Commission District 4)
Tax Parcel ID # 13-21-29-501-0C00-0010

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird further testified that she inspected the property this morning and advised that the water in the pool is clear and the Respondents have placed temporary orange fencing around the pool.

Officer Hird stated that recommendation would be to comply by July 20, 2006, with a fine of \$250.00 per day if compliance is not obtained or is repeated after that date.

Kristen Allen, Representative for the Respondents, was present at this hearing and testified on behalf of the Respondents. Ms. Allen further testified that the Respondents are having a difficult time finding someone to put up the permanent fencing.

Gerald Ames asked Officer Hird if she felt this was a safety issue.

Officer Hird advised that this is not a safety issue due to the temporary fencing around the pool,

After additional discussion of this case by the Board:

**MOTION BY GERALD AMES, SECONDED BY JAY AMMON THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 06-52-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 13-21-29-501-0C00-0010) located at 301 Park Place, Altamonte Springs, located in Seminole County and legally described as follows:

LEG BEG SW COR LOT 1 BLK C RUN N 07 DEG 33
MIN E 138 FT S 74 DEG 57 MIN E 108.15 FT TO C/L
VACD ST SELY ON C/L 72.45 FT S 81 DEG 22 MIN W
25 FT S 08 DEG 10 MIN E 33.85 FT W 116 FT TO
BEG LAKE ADELAIDE SHORES REVISION
PB 9 PG 1

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (n) and (o), and Seminole County Code, Chapter 40, Section 40.164.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING

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It is hereby ordered that the Respondents correct the violations on or before **July 20, 2006**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE STAGNANT OR FOUL WATER WITHIN A SWIMMING OR WADING POOL.**
- 2) SECURE THE POOL ACCORDING TO SEMINOLE COUNTY CODE REQUIREMENTS AS APPROVED BY THE BUILDING OFFICIAL.**

If the Respondents do not comply with this Order, a fine of **\$250.00** will be imposed for each day the violations continue, or are repeated after compliance past **July 20, 2006**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of June 2006, in Seminole County, Florida.

**BILL FAHEY – YES
GRACE CHEWNING – YES
STEWART FRITZ – YES**

**JAY AMMON – YES
GERALD AMES - YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No. 06-22-CEB
LAURA L. MAYS AND
EUNISSA L. KEOLA
Code Enforcement Officer: Jerry Robertson
Complaint No: 2005CE002091

The Board heard this case on March 23, 2006 and an Order was entered giving the Respondents a compliance date of April 14, 2006. An Affidavit of Non-Compliance was filed by the Code Officer indicating compliance had not been obtained as of April 17, 2006. An Affidavit of Compliance was filed by the Code Officer indicating that compliance had been obtained on May 1, 2006. This property is presently in compliance.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

RECOMMENDATION: The Board issue an Order Finding Compliance and Imposing Fine/Lien constituting a **lien** for **\$800.00**, for 16 days of non-compliance at \$50.00 per day from April 15, 2006 to and including April 30, 2006. The Clerk shall record this Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95.4, as defined in section 95.3 (g).
Described as: 1) Accumulation of trash and debris.
Location: 511 E. 3rd St, Oviedo (Commission District 1)
Tax Parcel ID # 21-21-32-5CF-1900-0100

Jerry Robertson, Code Enforcement Officer, testified on behalf of the County and advised the Board that the property is very clean and is in compliance at this time.

Officer Robertson advised that he would not be opposed to a reduction of this fine, providing the reduction is not less than his costs for processing this case in the amount of \$222.00.

Jim Logue, uncle of the Respondent, was present at this hearing and testified on behalf of his niece. Mr. Logue advised that he was cleaning up the property and it would be put up for sale.

Officer Robertson asked Mr. Logue if he was the new owner of the property.

Mr. Logue advised that he was not.

Motion by Grace Chewning, seconded by Larry Lawver, to reduce the fine to \$222.00 and require this reduced amount to be paid within 30 days.

Gerald Ames made a motion to reduce the fine to \$400.00.

Mr. Ames' motion died for lack of a second.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY LARRY LAWVER, THAT
THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:**

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel ID # 21-21-32-5CF-1900-0100) located at 511 E. 3rd Street, Oviedo, located in Seminole County and legally described as follows:

LOT 10 BLK 19 NORTH CHULUOTA
PB 2 PG 54 TO 58

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

This case came on for public hearing before the Code Enforcement Board of Seminole County on March 23, 2006 after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by April 14, 2006.

An Affidavit of Non-Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had not been obtained as of April 17, 2006.

An Affidavit of Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had been obtained as of May 1, 2006.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated March 23, 2006, the Board orders that the fine in the amount of **\$800.00**, for 16 days of non-compliance at \$50.00 per day from April 15, 2006, through and including April 30, 2006, **be reduced to \$222.00.**

It is further ordered that the Respondents shall have until **July 20, 2006** in which to pay the reduced fine (\$222.00). If the Respondents do not pay this amount on or before July 20, 2006, the fine will revert to the original amount of **\$800.00** and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 22nd day of June 2006, in Seminole County, Florida.

**BILL FAHEY – NO
GRACE CHEWNING – YES
STEWART FRITZ – YES**

**JAY AMMON – YES
GERALD AMES – NO
LARRY LAWVER – YES**

MOTION CARRIED 4 – 2.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

Case No. 06-48-CEB
FRANK AND MARY L. JACKSON
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE001103

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (j)
Described as: 1) Accumulation of trash and debris.
2) Used and/or scrap building materials being kept or stored on the property.
Location: 118 Florence Ave., Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-300-062B-0000

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird further testified that she inspected the property this morning and the trash and debris have been removed, but the scrap building materials remain. She further advised that these are reoccurring violations.

Officer Hird stated that recommendation would be to comply by July 14, 2006, with a fine of \$75.00 per day if compliance is not obtained or is repeated after that date.

Larry Lawver asked Officer Hird to clarify whether the property was in compliance at this time.

Officer Hird advised that the property is not in compliance.

Frank Jackson, Respondent, was present at this meeting and testified on his own behalf. Mr. Jackson inquired as to why he cannot store these items under his house.

Jay Ammon asked Officer Hird why the Respondent cannot store his items under his house.

Officer Hird advised that the types of items the Respondent has stored under his house are a hazard and it is against the code.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY JAY AMMON, THAT THIS CASE BE CONTINUED TO THE AUGUST 24, 2006 MEETING.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

**BILL FAHEY – YES
GRACE CHEWNING – YES
STEWART FRITZ – YES**

**JAY AMMON – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No. 06-25-CEB
JAMES W & LORNA LICKERT
Code Enforcement Officer: Joann D. Tamulonis
Complaint No: 2004CE001671

The Board heard this case on March 23, 2006 and an Order was entered giving the Respondents a compliance date of April 30, 2006. An Affidavit of Partial Compliance was filed by the Code Officer indicating compliance on violation # 4 was obtained on May 1, 2006. An Affidavit of Non-Compliance was filed by the Code Officer indicating that compliance had not be obtained on the remaining violations (1, 2, 3, 5, and 6) on May 1, 2006. An Affidavit of Partial Compliance was filed by the Code Officer indicating that compliance on violation # 2 was obtained on May 23, 2006. Violations # 1, # 3, # 5, and # 6 remain in violation. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order Finding Non-Compliance and Imposing Fine/Lien constituting a lien for **\$58,500.00**, and the fine shall continue to accrue at **\$1,000.00 per day**, which represents **\$250.00 per day, per violation**, for four violations presently in non-compliance, as follows:

53 days of non-compliance on violations # 1, # 3, # 5, and # 6 at **\$250.00 per day, per violation (a total of \$1,000.00 per day)** from May 1, 2006 to and including June 22, 2006, and the fine shall continue to accrue at **\$250.00 per day, per violation (a total of \$1,000.00 per day)** until compliance is obtained. (\$53,000.00)

22 days of non-compliance on violation # 2, from May 1, 2006 through May 22, 2006, at **\$250.00 per day**. (\$5,500.00) The Clerk shall record this Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95 Section 95.4, as defined in 95.3 (e), (f), (g), (h), (i) and (p).

Described as:

- 1) Unusable or abandoned furniture
- 2) Unusable or abandoned stoves, appliances or other white goods
- 3) Accumulation of trash and debris
- 4) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

5) Used and/or scrap building materials

6) Any other objectionable, unsightly, or unsanitary matter, substance or material tending by its existence and or accumulation to endanger or adversely effect the health, safety, lives and/or welfare of the citizens of the County

Location: 2660 Orange Ct, Longwood (Commission District 3)
Tax Parcel ID # 05-21-29-502-0B00-0440

Joann Davids Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the remaining violations that are not in compliance at this time.

Officer Tamulonis further advised the Board that the Respondents will be requesting more time to come into compliance and she would not be opposed to giving the Respondents an additional 60 days, but would oppose anything longer than that.

Officer Tamulonis also advised that the Respondents have made progress, but some violations remain.

Stewart Fritz asked Officer Tamulonis who complained about the violations.

Officer Tamulonis advised that the Respondents' neighbors have complained for over 10 years. Officer Tamulonis also reminded the Board that the County, along with volunteers, cleaned this property for the Respondents on two separate occasions.

Jay Ammon asked if the fine would continue to accrue if the Board granted an extension for 60 days.

Officer Tamulonis advised that the fine would continue to accrue, but a lien would not be imposed today.

Larry Lawver asked Officer Tamulonis if our goal would be accomplished by giving the Respondents an additional 60 days in which to comply.

Officer Tamulonis advised that she hopes it does.

James and Lorna Lickert were present at this meeting and testified on their own behalf. Mr. Lickert advised the Board that almost everything is gone, but because he does not have a lot of time to work on it, some items remain.

Gerald Ames advised the Respondents of his concerns due to the fact that these are reoccurring violations.

Mr. Lickert advised the Board that he is hoping this will not happen again.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING

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Mrs. Lickert gave a brief history of the problems they have, including medical problems and not having anyone to help them.

Yvette Brown asked the Respondents if they thought they could come into compliance within 60 days.

Mrs. Lickert advised that she did not think so.

Jay Ammon asked Officer Tamulonis if the County can get back involved and help the Respondents.

Officer Tamulonis advised that the County has been involved with the Respondents for the past 10 years.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY JAY AMMON, TO CONTINUE THIS CASE TO THE AUGUST 24, 2006 MEETING.

BILL FAHEY – YES

GRACE CHEWNING – YES

STEWART FRITZ – YES

JAY AMMON – YES

GERALD AMES – YES

LARRY LAWVER – YES

MOTION CARRIED 6 – 0

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Case No: 03-54-CEB
CATHERINE ENGLISH
Code Enforcement Officer: Dorothy Hird
Complaint No: 2003CE004038

This is the Respondent's 2nd repeat violation. The original violation was heard by the Board on June 26, 2003 and an Order was entered. Compliance on the original violation was obtained on April 21, 2004. An Order Imposing Fine/Lien was entered August 28, 2003. The total lien for the original violation is \$14,200.00 and remains UNPAID. An Affidavit of Repeat Violation was filed on December 9, 2004. An Affidavit of Compliance After Repeat Violation was filed on January 4, 2005. A Findings of Fact, Conclusions of Law and Order Rescinding Fine on a Repeat Violation Presently in Compliance was entered by the Board on January 27, 2005, RESCINDING the fine of \$1,300.00 for the repeat violation. An Affidavit of Repeat Violation was filed on May 10, 2006. An Affidavit of Compliance After Repeat Violation was filed on May 25, 2006. This property is presently in compliance.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation of the Findings of Fact, Conclusions of Law and Order dated June 26, 2003 for **\$750.00**, for 15 days of non-compliance at \$50.00 per day from May 9, 2006 to and including May 23, 2006. The Clerk shall record this Order in the Public Records of Seminole County.

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird further testified that this property is in compliance at this time.

Officer Hird stated that recommendation would be to impose a fine in the amount of \$750.00 and if the violation is repeated past today, the daily fine would increase to \$100.00 per day.

Stewart Fritz asked Officer Hird who complained about this violation.

Officer Hird advised that one of the Deputies in her District reported it.

Catherine English, Respondent, was present at this meeting and testified on her behalf. Mrs. English further testified that the vehicle belonged to her son and she did not have the title to it and could not move it.

Larry Lawver asked the Respondent if she could remember how many days it took for her to have the vehicle removed.

Mrs. English advised that she could not remember, but her daughter advised that it was approximately 5 days.

Officer Hird advised the Board that the Respondent did not call her to advise that she was in compliance. She happened to ride by the property and noticed that the vehicle was removed.

Gerald Ames asked the Respondent if she told her children that they could not leave their vehicles on her property.

Mrs. English advised that she did tell them.

Officer Hird advised the Board that she has discussed this with the Respondent and believes she understands that she cannot allow others to park their vehicles on her property.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A
REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondent is the owner of record of the property (Tax Parcel ID # 07-21-30-300-072W-0000) located at 805 Brentwood Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG SEC 07 TWP 21S RGE 30E BEG 165 FT S + 625 FT W OF
NE COR OF SE ¼ OF NW ¼ RUN W 100 FT N 140 FT E 100 FT
S 140 FT TO BEG

This case came on for public hearing before the Code Enforcement Board of Seminole County on June 26, 2003, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found the Respondent in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(l).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondent did not take certain corrective action by July 11, 2003. Compliance was obtained on April 21, 2004.

An Affidavit of Repeat Violation had been filed with the Board by the Code Officer, which Affidavit certified under oath that the violation was being repeated as of December 9, 2004.

An Affidavit of Compliance After Repeat Violation had been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action had been taken by the Respondent as of January 4, 2005.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of May 9, 2006.

An Affidavit of Compliance After Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent as of May 24, 2006.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING

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Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated June 26, 2003.

Therefore, the Board finds that the Respondent was in repeat violation and orders that the fine in the amount of **\$750.00**, for 15 days of non-compliance from May 9, 2006 through May 23, 2006 at \$50.00 per day, **be reduced to \$200.00**.

It is further ordered that the Respondents shall have **30 days** in which to pay the reduced fine (\$200.00). If the Respondents do not pay this amount on or before **July 22, 2006**, the fine will revert to the original amount of **\$750.00** and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

It is further ordered that the daily fine shall be **increased to \$100.00 per day** if the violation is repeated past **May 24, 2006**.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 22nd day of June 2006 in Seminole County, Florida.

**BILL FAHEY – YES
GRACE CHEWNING – YES
STEWART FRITZ – YES**

**JAY AMMON – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0

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AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY LARRY LAWVER, SECONDED BY JAY AMMON, TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

Case No. 06-16-CEB
DEBORAH J. AND KEITH LONDON
Code Enforcement Officer: Deborah Leigh
Complaint No: 2005CE001391

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

The Board heard this case on January 26, 2006 and an Order was entered giving the Respondents a compliance date of February 1, 2006 for violation # 3 (unsecured pool) and March 27, 2006 for violations # 1, 2, and 4. An Affidavit of Compliance was filed by the Code Officer indicating compliance on violation # 3 was obtained on February 3, 2006. An Affidavit of Non-Compliance was filed by the Code Officer on March 31, 2006 indicating that compliance had not been obtained on the remaining violations (1, 2, and 4). This property is **NOT** in compliance at this time.

RECOMMENDATION: The Board issue an Order Finding Non-Compliance and Imposing Fine/Lien constituting a **lien** for **\$8,700.00**, for 87 days of non-compliance at \$100.00 per day from March 28, 2006 to and including June 22, 2006, and the fine shall continue to accrue at **\$100.00 per day** until compliance is obtained. The Clerk shall record this Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Section 95.4, as defined in Section 95.3 (h)(n)(o) and (p)
Described as: 1) Uncultivated vegetation in excess of 24" in height, within 75' of a structure
2) Stagnant/foul water within a swimming pool
3) Swimming pool not completely enclosed by permanent fencing **(complied on February 3, 2006)**
4) Other objectionable, unsightly, or unsanitary matter, tending by its existence to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the County
Location: 275 Saddleworth Pl., Lake Mary, (Commission District 5)
Tax Parcel ID # 11-20-29-5HA-0000-0170

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel # 11-20-29-5HA-0000-0170) located at 375 Saddleworth Place, Lake Mary, located in Seminole County and legally described as follows:

LEG LOT 17 CHESTNUT HILL
PB 29 PGS 76 TO 78

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 26, 2006, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (h) (n) (p) and (o).

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondents did not take certain corrective action on violation # 3 (o) by February 1, 2006.

The Code Enforcement Officer filed an Affidavit of Compliance, which Affidavit certified under oath that the required action had been obtained on violation # 3 (o) as of February 3, 2006.

Said Order further stated that a fine in the amount of \$100.00 per day would be imposed if the Respondents did not take certain corrective action on violations # 1 (h), # 2 (n), and # 4 (p) by March 27, 2006

The Code Enforcement Officer filed an Affidavit of Non-Compliance, which Affidavit certified under oath that the required action had not been obtained on violations # 1 (h), # 2 (n), and # 4 (p) as of March 31, 2006

Accordingly, it having been brought to the Board's attention that Respondents have not complied with the Order dated January 26, 2006, the Board orders that a **lien** in the amount of **\$8,700.00**, for 87 days of non-compliance at **\$100.00** per day, from March 28, 2006, through and including June 22, 2006, be imposed, and the fine shall continue to accrue at **\$100.00 per day** for each day the violations continue or are repeated past June 22, 2006.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violations exist and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 22nd day of June 2006, in Seminole County, Florida.

**BILL FAHEY – YES
GRACE CHEWNING – YES
STEWART FRITZ – YES**

**JAY AMMON – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

Case No. 02-19-CEB
WILLIE B. MADISON HEIRS
C/o HUBERT MADISON NPAR
Code Enforcement Officer: Pamela Taylor
Complaint No. 2001CE012097

Foreclosure

The Board heard the original violation on February 28, 2002 and an Order was entered. Compliance on the original Order was obtained on March 25, 2002. On May 23, 2002, the Board reduced the accrued fine of \$400.00 to \$50.00. The Respondent paid the reduced amount. An Affidavit of Repeat Violation was filed stating that the violations were being repeated as of December 2, 2005. The Board heard the Repeat Violation on January 26, 2006 and entered an Order imposing a fine in the amount of \$2,750.00 and increased the daily fine to \$100.00 per day if the violations continue or are repeated past January 26, 2006. This amount remains unpaid. This property is NOT in compliance at this time.

Recommendation: Staff requests approval to forward this case to the County Attorney for review and approval to present to the Board of County Commissioners for foreclosure action.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g) and (h)
Described as: 1) The accumulation of trash and debris
2) Uncultivated vegetation in excess of 24" in height, within 75' of a structure
Location: 2191 Granby Avenue, Sanford (Commission District 5)
Tax Parcel ID # 32-19-31-300-032C-0000

Pamela Taylor, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Taylor further advised that this property is not in compliance and would request the Board authorize the Clerk to forward this file to the County Attorney's Office for possible foreclosure action.

The Respondents were not present at this meeting.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY JAY AMMON, TO FORWARD THIS FILE TO THE COUNTY ATTORNEY'S OFFICE FOR POSSIBLE FORECLOSURE ACTION.

BILL FAHEY – YES	JAY AMMON – YES
GRACE CHEWNING – YES	GERALD AMES – YES
STEWART FRITZ – YES	LARRY LAWVER – YES

MOTION CARRIED 6 – 0

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VII Approval of the minutes from the meeting of May 18, 2006.

MOTION BY GRACE CHEWNING, SECONDED BY GERALD AMES, TO APPROVE THE MINUTES FROM THE MEETING OF MAY 18, 2006 WITH ONE CORRECTION ON PAGE 14 AS NOTED.

BILL FAHEY – YES	JAY AMMON – YES
GRACE CHEWNING – YES	GERALD AMES – YES
STEWART FRITZ – YES	LARRY LAWVER – YES

MOTION CARRIED 6 – 0

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VIII Confirmation date of next meeting: July 27, 2006

IX Old Business –

General discussion of the update regarding Case No. 02-56-CEB. Fine was paid and a Satisfaction of Fine will be executed at this meeting.

X New Business –

General discussion of the current rate used by the Code Officers when determining their estimate of costs for processing each case brought before the Board.

The Board asked if there were any statistics regarding the percentage of cases that actually make it to the Board.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JUNE 22, 2006

Deborah Leigh, Senior Code Enforcement Officer, advised the Board that a survey was done a few years ago regarding the percentage, and at that time, 97% of cases complied prior to the meeting.

Gerald Ames asked if the cases that come before the Board were the "hardcore" cases.

Officer Leigh advised yes they were.

Jerry Robertson, Code Enforcement Officer, advised the Board that each Officer makes every attempt to gain compliance prior to actually bringing a case to the Board.

XI Adjourn – There being no further discussion, this meeting was adjourned at 3:05 P.M.

Respectfully submitted:

Connie R. DeVasto
Clerk to the Code Enforcement Board

Bill Fahey
Vice Chair

06-22-06 minutes